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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

STEVEN M. RENNICK, Sr.,

Movant,

Vs

UNITED STATES OF AMERICA,

Respondent,

)
) Cr. No: CR-1-02-157-SJD
)
) CV No.: _____
)
) Hon. Susan Dlott
) U.S. District Judge
)
)
)
)
)

**Motion to order a Psychiatric or Psychological Study
of the Movant/Defendant pursuant to 18 USC Section
4247((b) to Assist the Court's Decision in Movant's
Motion Under 28 USC Section 2255, and Memorandum
of Law**

Comes the Movant/Defendant, Steven M. Rennick, Sr., pro se, and does hereby move the Court to order the Bureau of Prisons to perform a Psychiatric or Psychological evaluation of the Movant pursuant to 18 USC Section 4247(b) and make a finding and report such finding to this Court and in support of this motion the Movant/Defendant states as follows:

1. This Defendant has an extensive record of mental illness, assumably a result of Post Traumatic Stress Syndrome (PTSD).

2. The Defendant has filed a motion pursuant to 28 USC Section 2255 to vacate, correct, or amend his sentence in the above referenced criminal case.

3. Several of Defendant's claims involve questions as to the competency of the Defendant, as well as his ability to be manipulated by others and whether or not said problems did affect the knowing and voluntary requirements of his plea.

4. The Defendant is presently incarcerated at the Federal Medical Center in Lexington, Kentucky.

5. FMC-Lexington has an extensive mental health staff and facilities and routinely performs said studies for various courts.

6. The preparation of said study is carried out without interfering with Defendant's incarceration or programming.

7. The results of said study could be a major determinant in the resolving of the Section 2255 motion.

8. Regardless of the outcome, there is a reasonable likelihood of bringing the Defendant a certain amount of closure to this entire matter. The Defendant requested every lawyer to make this request in the early stages, but none would. In light of the claims raised, this request is made nearly a fundamental assurance of a reasoned, just, and fair attempt for a just and accurate resolution.

Memorandum of Law

"The conviction of a Defendant when he is legally incompetent is a violation of due process." *United States v. Mason*, 52 F.3d 1286, 1289 (4th Cir. 1995) citing *Drope v.*

Missouri, 420 U.S. 162, 171-72 (1975); *Pate v. Robinson*, 388 U.S. 375, 378 (1966); *Dusky v. United States*, 362 U.S. 402 (1960).

Whether to order an examination on the issue of incompetence is a matter generally left to the broad discretion of the trial court. *United States v. West*, 877 F.2d 281, 285 n.1 (4th District 1989). However, the trial court's discretion in this case is not unlimited and its refusal to conduct a competency hearing shall be reversed where there is "reasonable cause to believe the Defendant may have been incompetent."

The Defendant has submitted a lengthy affidavit with this motion supporting his position that, at the time of entering his plea, the Defendant suffered from chronic PTSD to the extent that he could not assist his counsel nor could he fully comprehend the nature of the proceedings.

Further Defendant saith naught.

July 30, 2007

Respectfully submitted,



Steven M. Rennick, Sr.
#04050-032 Younity
Federal Medical Center
P.O. Box 14500
Lexington, KY 40512

CERTIFICATE OF SERVICE

I, Steven M. Rennick, Sr. do certify that the foregoing Motion to Order Psychiatric Study, was filed with the Court and the parties listed below by depositing same into the prison mail system, postage prepaid, on the 30 day of July, 2007.


Steven M. Rennick, Sr.

Clerk, U.S. District Court
100 E. 5th St.
Cincinnati, Ohio 45202

AUSA Robert C. Brichler
221 E. 4th St., 4th Floor
Cincinnati, Ohio 45202